

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 08-107-PB

Marcus Cherry

O R D E R

The court finds reasonable cause to believe that the defendant may presently be suffering from a mental disease that could affect his competency to plead guilty or stand trial. At the direction of the court, counsel has filed a motion for psychological evaluation, seeking permission for Dr. Maguire at the Strafford County House of Corrections to evaluate the defendant's mental competency. Accordingly, pursuant to 18 U.S.C. §§ 4241, 4247, and with the consent of the parties, the request is granted. Dr. Maguire shall conduct the examination and prepare a report to be filed under seal within 45 days addressing the defendant's competency. This report shall also take into account any medications the defendant is currently taking.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

February 2, 2009

cc: Tony F. Soltani, Esq.
Terry Ollila, Esq.
United States Probation
United States Marshal